

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BRUCE JOSEPH BERMAN,

Plaintiff,

Case No. 21-cv-0321-bhl

v.

ANDREW SAUL,
Commissioner of Social Security Administration,

Defendant,

**ORDER DENYING MOTION FOR LEAVE TO PROCEED WITHOUT
PREPAYMENT OF THE FILING FEE (ECF NO. 2)**

Plaintiff Bruce Joseph Berman has filed a complaint seeking review of a decision of the Commissioner of Social Security. The plaintiff has also filed the Court's local form asking to be allowed to proceed without paying the filing fee. The purpose of the form is to explain to the Court why the plaintiff's filing fee should be waived. Based on the limited information plaintiff has submitted, his request for a fee waiver must be denied.

On his fee waiver form, plaintiff states that he is married and that his spouse is employed. But plaintiff fails to include his spouse's income, an important piece of information the Court needs to decide whether plaintiff is entitled to a fee waiver. Additionally, plaintiff lists \$300 monthly rent as his only household expense. It seems unlikely that this is the only expense for plaintiff's household.

It is plaintiff's burden to establish that his financial situation warrants a fee waiver. On this record, his request to waive the fee must be denied. The denial is without prejudice. Plaintiff may file a supplement to the motion to proceed without prepayment of the filing fee. If he chooses to do so, he should include a more complete summary of his household income and expenses, including, among other things, his spouse's income and a complete list of his household expenses. Absent additional justification, the fee cannot be waived. Accordingly,

IT IS ORDERED that Plaintiff's request to proceed in forma pauperis is DENIED and Plaintiff shall pay the \$402.00 filing fee within 21 days of the date of this order or risk dismissal of this action without prejudice and without further notice.

Dated at Milwaukee, Wisconsin this 12th day of March, 2021.

s/ Brett H. Ludwig
Brett H. Ludwig
United States District Judge